

International Criminal Law And Sexual Violence Against Women The Interpretation Of Gender In The Contemporary

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Sexual Violence Against Child Soldiers Chiun Min Saeh 2018-06-03 The subjects of child soldiers and conflict-related sexual violence have recurrently been explored but issue of child soldiers who are being sexually violated during armed warfare seem to be a legal gap in international criminal and humanitarian law. International humanitarian law does not generally regulate the conduct of combatants towards other combatants in the same armed group as the conduct of fighters towards soldiers on the same side of the conflict would presumably be monitored by their own internal discipline framework. Whilst there may be a universal understanding that any harmful attacks would be against the enemy, sexual violence is inflicted extensively on both sides equally and in this context, against child soldiers who have limited protection by the law and their own militaries. On that account, this book examines how international criminal law punishes perpetrators who sexually abuse child soldiers within their own troops and how international humanitarian law protects these victims. The distinction between direct/indirect and active participation and its significance/consequences is explored as well as question of when sexual slavery begins and ends with regards to participation of child soldiers and the issue of membership of child soldiers in armed forces. This book also investigates if children who were conscripted and enlisted as child soldiers have separate standards of accountability for the crimes they commit, specifically with regards to the ongoing case of Dominic Ongwen at the International Criminal Court as its point of convergence. Despite the promising progress Bosco Ntaganda's case at the ICC has made, it falls short with engaging in these complex legal questions as it assumes that sexual slavery and participation in hostilities occur at separate times when neither of these exist in a vacuum. Therefore, the limits of international criminal law and humanitarian law in this sphere is delved into with reference to relevant case laws.

Sexual Violence Against Women in International Humanitarian Law Maria Luisa Gomez-Fernandez 2001

Rape Justice Nicola Henry 2015-09-01 This book explores the burgeoning interest in alternative and innovative justice responses to sexual violence both within and outside the legal system. It explores the limits of criminal law for achieving 'rape justice' and highlights possibilities for expanding how we think about justice in the aftermath of sexual violence.

The Justice of Humans Kirsten Campbell 2022-11-30 Justice for conflict-related sexual violence remains a critical problem for global society today. This ground-breaking book addresses pressing questions for 'international justice': what do existing approaches to international justice offer to victims of war and societies in conflict? And what possibilities do they provide for feminist social transformation? The Justice of Humans develops a new feminist approach to 'international justice'. Adopting a socio-legal perspective, it studies two major contemporary examples

of legal and feminist approaches to justice, the International Criminal Tribunal for the former Yugoslavia and the Women's Court (former Yugoslavia), focusing on their treatment of sexual violence as a gender-based crime. Drawing on feminist social theory, legal analysis, and empirical research, the book offers an innovative feminist framework for understanding 'international justice' and offers new theoretical and practical strategies for building feminist justice.

Prosecuting Conflict-Related Sexual Violence at the ICTY Baron Serge Brammertz 2016-04-14 Although sexual violence directed at both females and males is a reality in many on-going conflicts throughout the world today, accountability for the perpetrators of such violence remains the exception rather than the rule. While awareness of the problem is growing, more effective approaches are urgently needed for the investigation and prosecution of conflict-related sexual violence crimes. Upon its establishment in 1993, the Office of the Prosecutor (OTP) of the International Criminal Tribunal for the Former Yugoslavia (ICTY) began the challenging task of prosecuting the perpetrators of conflict-related sexual violence crimes, alongside the many other atrocities committed during the conflicts in the former Yugoslavia. This book documents the experiences, achievements, challenges, and fundamental insights of the OTP in prosecuting conflict-related sexual violence crimes at the ICTY over the past two decades. It draws on an extensive dossier of OTP documentation, court filings, trial exhibits, testimony, ICTY judgements, and other materials, as well as interviews with current and former OTP staff members. The authors provide a unique analytical perspective on the obstacles faced in prioritizing, investigating, and prosecuting conflict-related sexual violence crimes. While ICTY has made great strides in developing international criminal law in this area, this volume exposes the pressing need for determined and increasingly sophisticated strategies in order to overcome the ongoing obstacles in prosecuting conflict-related sexual violence crimes. The book presents concrete recommendations to inform future work being done at the national and international levels, including that of the International Criminal Court, international investigation commissions, and countries developing transitional justice processes. It provides an essential resource for investigators and criminal lawyers, human rights fact-finders, policy makers, rule of law experts, and academics.

Sexualised Crimes, Armed Conflict and the Law Hannah Baumeister 2018-06-04 From ancient to modern times, sexualised war violence against women was tolerated if not encouraged as a means of reward, propaganda, humiliation, and terror. This was and is in defiance of international laws that have criminalised acts of sexualised war violence since the 18th century. Ad hoc international tribunals have addressed especially war rape since the 15th century. The International Criminal Court (ICC), however, is the first independent, permanent, international criminal court that recognises not only war rape but also sexual slavery and other sexualised crimes as crimes

against humanity, war crimes, and acts of genocide in its statute and supporting documents. This book explores how the ICC definitions of rape and forced marriage came about, and addresses the ongoing challenge of how to define war rape and forced marriage in times of armed conflict in a way that adequately reflects women's experiences, as well as the nature of the crimes. In addition to deepening the understanding of the ICC negotiations of war rape and forced marriage, and of the crimes themselves, this volume highlights relevant factors that need to be considered when criminalising acts of sexualised war violence under international law. *Sexualised Crimes, Armed Conflict and the Law* draws on feminist and constructivist theories and offers a comprehensive theoretical and empirical examination of the definition of rape and forced marriage. It presents the latest state of knowledge on the topic and will be of interest to researchers, academics, policymakers, officials and intergovernmental organisations, and students in the fields of post-conflict law and justice, international law, human rights law, international relations, gender studies, politics, and criminology.

Sexual Violence and Effective Redress for Victims in Post-Conflict Situations: Emerging Research and Opportunities Sikulibo, Jean de Dieu 2019-01-25 All too often in situations of armed conflicts, rape and other acts of sexual violence are used as military tactics. The use of sexual violence as a strategy of war is distinctively destructive and not only leaves victims with significant psychological scars but also tears apart the fabric of families and affected communities. *Sexual Violence and Effective Redress for Victims in Post-Conflict Situations: Emerging Research and Opportunities* is a collection of innovative research that analyzes these crimes and their implications for the needs of victims in post-conflict justice processes and how these needs can be effectively addressed in order to support the affected community. To conduct this analysis, it explores the distinct aspects of these crimes to understand the nature and extent of the social challenges and damage facing the victim, and examines the challenges and limitations of international criminal justice in dealing with a wide range of victim needs. While highlighting topics including judicial accountability, victims' rights, and criminal justice, this book is ideally designed for psychologists, therapists, government officials, academicians, policymakers, and researchers.

Critical Appraisal of Brenda Akia 2012-07 Sexual violence used on a large scale, can destabilise a society as a whole and when used during armed conflicts, serves as a powerful weapon against members of a community. During armed conflicts, sexual violence is widespread and systematically used as a tool of war and this makes sexual violence amount to crimes against humanity, genocide and war crimes. This book critically analyses and evaluates sexual violence as an international crime, as well as its prosecution under international criminal law. It discusses the problem of selectivity that can be observed in prosecuting sexual violence that has in fact, left many victims dissatisfied. The paper also states recommendations that can contribute to the effective prosecution of sexual crimes under international criminal law.

Prosecution of Wartime Rape Before the ICTY Regina Derrer 2007 In 1993 the International Criminal Tribunal for the Former Yugoslavia (ICTY) was established to prosecute the crimes committed during the Yugoslav conflict. Due to the widespread occurrence of rape and its disastrous consequences, it was of high importance that concern was shown by the international community to ensure that prosecutions for gender crimes would take place at the ICTY. This paper examines the possibilities to prosecute wartime rape under the ICTY Statute and highlights those procedural rules which are significant in case of trials dealing with victims and witnesses of wartime sexual violence. It aims at finding out about the achievements made by the Yugoslav Tribunal in prosecuting wartime rape under international criminal law. To comprehend which understanding of wartime rape underlies the creation of the ICTY Statute and its procedural rules, chapter 2 of this paper focuses on the development of the status of rape in international humanitarian law and international criminal law. Based on ICTY case law and the reasoning of experts, chapter 3 illustrates the opportunities to prosecute rape under the four categories of crimes enumerated under the ICTY Statute. Finally, chapter 4 identifies those procedural provisions

which aid in safeguarding the rights of victims and witnesses of sexual violence crimes. Within this section, the importance of those procedural rules and their potential to reshape the perception of rape in public international law as well as domestic law will be furthermore highlighted.

Sex and Gender Crimes in the New International Law Alona Hagay-Frey 2011-06-22 Adapted from the author's thesis (LLM)---Universitat Tel-Aviv, 2009.

Gender and International Criminal Law Indira Rosenthal 2022 This book analyses narrow definitions of gender in international criminal law. Jurisprudence blind spots are examined, such as sexual violence against men, and the gendered dimensions of forced marriage and reproductive crimes. It promotes a more nuanced notion of gender to improve accountability for war crimes, genocide and aggression.

International Criminal Justice. Cooperation and fighting of male sexual crimes Dimitris Liakopoulos 2019-04-01 Document from the year 2019 in the subject Law - European and International Law, Intellectual Properties, Tufts University, language: English, abstract: The focus of this book is the analysis of male sexual crimes in international criminal justice. The first part of the present research work is focused on the legal analysis of the relevant articles of international criminal court's Statute regarding the obligation of cooperation between states for the punishment of serious crimes against humanity and war. Judicial development, starting with the ad hoc tribunals and arriving at causes at various stages of proceedings still ongoing in the International Criminal Court (ICC), opens doctrinal and comparative national debates especially in the case of lacking states cooperation, seeking to elaborate specific topics such as the obligation of states cooperation, requests for assistance during preliminary investigations, during inquires, and confidential information. Court assistance to states parties participating in the Statute, suspending the execution of a request, the role of the prosecutor and the non-assistance of some states impede the development and operation of international criminal justice. The second part has attempted to analyze sexual crimes and especially the crime of male rape. The jurisprudence of international criminal tribunals and the ICC have tried to qualify rape either as a crime of genocide in the form of serious and physical injuries, even if not necessarily permanent (lett.b) Art.6 of the Rome Statute; or as a crime against humanity where there are elements of context and above all material elements that emerge from the definitions given by the ad hoc tribunals and the elements of crimes; or even as a war crime in case it is implemented to that of sexual violence, according to a gender specific relationship to species. Judges through the jurisprudence have included in this context any conduct of a sexual type of aggression to human dignity that does not consist in an act of penetration and that does not involve physical contact. The contrasts are always open. Due to the lack of dealing with a "particular" crime and difficult to prove it or testify before an international court. The indication on the level of gravity of the crime is necessary for the relevance of sexual violence and rape as crimes against humanity that we will see in the coming years.

Symposium on Systematic Sexual Violence and International Criminal Law American Bar Foundation 2010

Prosecuting Sexual and Gender-Based Crimes at the International Criminal Court Rosemary Grey 2019-04-11

Detailed study of the ICC's practice in prosecuting gender-based crimes, current up to the ICC Statute's twentieth anniversary in 2018.

Sexual and Gender-Based Violence in International Law Bharat H. Desai 2022-06-18 This book addresses sexual and gender-based violence (SGBV) against women from an international law point of view. It identifies the reasons behind SGBV against women with a specific focus on cultural practices that try to justify it and highlights the legal challenges related to the topic for both national and international justice systems. The seven chapters of the book are: i) Introduction ii) SGBV a global concern; iii) International legal protection; iv) Role of international institutions; v) Role of cultural factors and vi) Challenges vii) Conclusions. In the light of concerted global efforts to bring to an end, or at least severely contain SGBV against women, the book provides a future roadmap to the United Nations system, States, international institutions, multidisciplinary scholars, civil society organizations and

other global actors. The book contains a Foreword by Peter Maurer, President of International Committee of the Red Cross (ICRC).

Sexual Violence Directed Against Women in Armed Conflict Mare Davids 2011

Violence Against Women and Criminal Justice in Africa: Volume II Ashwanee Budoo-Scholtz 2021-11-02 This book examines violence against women in Africa and criminal justice from the perspective of African scholars, practitioners and experts. As a global and long-standing issue, violence against women is gaining public visibility across the African continent with some states announcing a national crisis warranting immediate redress. At the global level, the elimination of all forms of violence against all women and girls forms a key part of United Nations Sustainable Development Goal 5: Gender Equality. Split across two volumes, these books present a comprehensive analysis of the latest research and theories, principles and practices of criminal justice systems, criminal justice accountability mechanisms, and the key challenges women face in their quest for justice on the African continent. This volume (II) focusses on sexual violence and vulnerable women's access to justice in Africa. Volume I focusses on legislation and its impact, the limitations of criminal justice responses, and the cultural and social norms regarding access to justice. Together, they adopt a comparative approach that highlight gaps and good practices to provide a rich source of authoritative information for promoting an intra-African dialogue and cross-fertilization of ideas across the different criminal justice traditions in Africa. Both volumes seek to advance discussions on eliminating violence against women in Africa and speak to those interested in criminal justice, violence, gender studies and African legal studies.

Sexual Violence Against Child Soldiers Chiun Min Seah 2018 There is a legal gap in international criminal and humanitarian law regarding instances of child soldiers who are sexually violated by their own military members during armed warfare. International humanitarian law generally does not regulate the conducts of combatants in the same armed group against their co-combatants. Supervision of such actions would resumably be monitored by their own internal discipline structure but this is lacking. Whilst there may be a universal understanding that any harmful attacks would be directed towards the enemy, sexual violence is inflicted extensively on both sides and, in this context, against child soldiers who have limited protection by international law and military structures. On that account, this book examines how international humanitarian law protects child soldiers who are being sexually abused by their own troops and consequently, how international criminal law punishes the perpetrators of sexual violence against child soldiers. As an example, this book looks into the ongoing trial of Dominic Ongwen at the International Criminal Court. This case is unique because despite his background as a child soldier himself, Ongwen became a sexual violence perpetrator against child soldiers who were recruited within the Lord's Resistance Army in Uganda. This research addresses the current limits of international criminal law and humanitarian law in this sphere with reference to relevant case laws which need to be resolved.

Sexual Offenses in Armed Conflict and International Law Noëlle Quénivet 2021-10-01

Victim Advocacy before the International Criminal Court Elizabeth King 2022-06-15 This book is a practical guide for advocates interested in the representation of victims before the International Criminal Court (ICC). It has been developed by experts responsible for the advocacy training of the International Criminal Court's List of Counsel members. Written in a readily accessible style, this guide provides a firm grounding in relevant legal doctrine, essential advocacy techniques and valuable multidisciplinary perspectives. Drawing upon global expertise from legal practitioners, specialist advocacy trainers and multi-disciplinary writers, this book addresses both practical considerations and key challenges faced by ICC victim advocates. These include issues such as gender, child victims, victims of sexual violence, special need victims and victims who are themselves implicated in international crimes. Through its practical focus on advocacy techniques, hypothetical case studies, checklists, interviews from the field and lists of further resources, this manual equips readers with the knowledge and skills

necessary to engage in sophisticated ICC victim advocacy. This book will also appeal to those interested in the workings of International Criminal Law and in victim advocacy and victimology more broadly.

Thematic Prosecution of International Sex Crimes Morten Bergsmo 2018-06-01

Necessity or Nuisance? Julia Gebhard 2018-01-30 Welche Chancen und Probleme bietet der Verweis auf Menschenrechte bei der Definition völkerstrafrechtlich relevanter Verbrechen? Unter welchen Voraussetzungen ist ein Verweis auf den Katalog des internationalen Menschenrechtsschutz dogmatisch angemessen und praktisch wahrscheinlich? Diese Fragen werden sowohl rechtstheoretisch, in der tatsächlichen Rechtsanwendung als auch empirisch durch Gespräche mit Richterinnen und Richtern an völkerstrafrechtlichen Gerichten ergründet. Durch das Aufzeigen der Gemeinsamkeiten und Unterschiede der beiden Rechtsgebiete, der vorherrschenden dogmatischen Unschärfen sowie Ansätzen zu deren Lösung, leistet der Band einen entscheidenden Beitrag zur Debatte über Rechtssicherheit und Innovation im Bereich des Völkerstrafrechts.

Defining Rape: Emerging Obligations for States Under International Law? Maria Eriksson 2011-10-28 The crime of rape has been prevalent in all contexts, whether committed during armed conflict or in peacetime, and has largely been characterised by a culture of impunity. International law, through its branches of international human rights law, international humanitarian law and international criminal law, has increasingly condemned such violence and is progressively obliging states to prevent rape, whether committed by a state agent or a private actor.

International Law and Sexual Violence in Armed Conflicts Chile Eboe-Osuji 2012-08-27 Sexual violence is a particular brand of evil that women have endured—more than men—during armed conflicts, through the ages. It is a menace that has continued to challenge the conscience of humanity—especially in our times. At the international level, basic laws aimed at preventing it are not in short supply. What is needed is a more conscious determination to enforce existing laws. This book explores ways of doing just that; thereby shoring up international legal protection of women from sexual violence in armed conflicts.

Feminist Engagement with International Criminal Law Eithne Dowds 2020-01-23 This work introduces and further develops the feminist strategy of 'norm transfer': the proposal that feminist informed standards created at the level of international criminal law make their way into domestic contexts. Situating this strategy within the complementarity regime of the International Criminal Court (ICC), it is argued that there is an opportunity for dialogue and debate around the contested aspects of international norms as opposed to uncritical acceptance. The book uses the crime of rape as a case study and offers a new perspective on one of the most contentious debates within international and domestic criminal legal feminism: the relationship between consent and coercion in the definition of rape. In analysing the ICC definition of rape, it is argued that the omission of consent as an explicit element is flawed. Arguing that the definition is in need of revision to explicitly include a context-sensitive notion of consent, the book goes further, setting out draft legislative amendments to the ICC 'Elements of Crimes' definition of rape and its Rules of Procedure and Evidence. Turning its attention to the domestic landscape, the book drafts amendments to the United Kingdom (UK) Sexual Offences Act 2003 and to the Youth Justice and Criminal Evidence Act 1999: thereby showing how the revised version of the ICC definition can be applied in context of the UK.

Supranational Criminal Prosecution of Sexual Violence Anne-Marie de Brouwer 2005 This study assesses the supranational criminal prosecution of sexual violence, notably whether supranational criminal law and procedure are adequate from the perspective of victims of sexual violence.

Therapeutic Jurisprudence and Overcoming Violence Against Women Halder, Debarati 2017-02-22 Law is a multi-dimensional aspect of modern society that constantly shifts and changes over time. In recent years, the practice of therapeutic jurisprudence has increased significantly as a valuable discipline. Therapeutic Jurisprudence and Overcoming Violence Against Women is a comprehensive reference source for the latest scholarly research on the

strategic role of jurisprudential practices to benefit women and protect women's rights. Highlighting a range of perspectives on topics such as reproductive rights, workplace safety, and victim-offender overlap, this book is ideally designed for academics, practitioners, policy makers, students, and practitioners seeking research on utilizing the law as a social force in modern times.

Rethinking Rape Law Clare McGlynn 2010-07-12 Rethinking Rape Law provides a comprehensive and critical analysis of contemporary rape laws, across a range of jurisdictions. In a context in which there has been considerable legal reform of sexual offences, Rethinking Rape Law engages with developments spanning national, regional and international frameworks. It is only when we fully understand the differences between the law of rape in times of war and in times of peace, between common law and continental jurisdictions, between societies in transition and societies long inured to feminist activism, that we are able to understand and evaluate current practices, with a view to change and a better future for victims of sexual crimes. Written by leading authors from across the world, this is the first authoritative text on rape law that crosses jurisdictions, examines its conceptual and theoretical foundations, and sets the law in its policy context. It is destined to become the primary source for scholarly work and debate on sexual offences laws.

Research Handbook on International Criminal Law Bartram S. Brown 2011-01-01 'This timely, valuable and thought-provoking contribution to our understanding of the vibrant new subject that is international criminal law, is a great addition to the literature and to our understanding. Professor Bart Brown deserves real appreciation for bringing it together.' – Philippe Sands QC, University College London and Matrix Chambers, UK 'The Research Handbook is a comprehensive up-to-date guide to one of the youngest yet most dynamic areas of international law. It tackles the pertinent challenges and opportunities, starting with the classical issues like categories of international crimes and complementarity, going on to address the problems ahead including the Guantánamo regime, crimes against women and the status of private security contractors. The Handbook will be a valuable source for both general and advanced international criminal law research.' – James Crawford, Cambridge University, UK This carefully regarded and well-structured handbook covers the broad range of norms, practices, policies, processes and institutional mechanisms of international criminal law, exploring how they operate and continue to develop in a variety of contexts. Leading scholars in the field and experienced practitioners have brought together their expertise and perspectives in a clear and concise fashion to create an authoritative resource, which will be useful and accessible even to those without legal training. The Research Handbook on International Criminal Law will appeal to practitioners who may want to defend, or prosecute, international criminal law cases, and academics researching and writing on international criminal law. Graduate students studying international criminal law, international human rights or international humanitarian law as well as those studying international justice, international politics, international organization or public policy analysis, will also find this book invaluable.

Wartime Sexual Violence at the International Level: A Legal Perspective Caterina E. Arrabal Ward 2018-07-19 In *Wartime Sexual Violence at the International Level: A Legal Perspective*, Dr. Caterina Arrabal Ward argues that the human rights of victims of sexual violence are not presently entirely contemplated or protected.

Fair Labelling and the Dilemma of Prosecuting Gender-Based Crimes at the International Criminal Tribunals Hilmi M. Zawati 2015-11-01 This scholarly legal work focuses on the dilemma of prosecuting gender-based crimes under the statutes of the international criminal tribunals with reference to the principle of fair labelling. In this book Hilmi M. Zawati explains how the abstractness and lack of accurate description of gender-based crimes in the statutory laws of the international criminal tribunals and courts infringe the principle of fair labelling, lead to inconsistent verdicts and punishments, and cause inadequate prosecution of these crimes. This inquiry deals with gender-based crimes as a case study, and with fair labelling as a legal principle and a theoretical framework. Critical and timely, this study contributes to existing scholarship in many different ways. It is the first legal analysis to

focus on the dilemma of prosecuting and punishing wartime gender-based crimes in the statutory laws of the international criminal tribunals and the ICC in the context of fair labelling. Moreover, it emphasizes that applying fair labelling to wartime gender-based crimes would enable the tribunals and the ICC to deliver fair judgments, eliminate inconsistent prosecution, overcome shortcomings in addressing gender-based crimes within their jurisprudence, while breaking the cycle of impunity for these crimes. Consisting of two parts, this work begins by outlining the central focus and theoretical legal framework of the study. It concentrates on fair labelling as an imperative legal principle and a legal framework, examines its intellectual development, scope and justification, and illustrates its applicability to gender-based crimes. The second part addresses the dilemma of prosecuting gender-based crimes in the international criminal tribunals.

International Criminal Law Developments in the Case Law of the ICTY Gideon Boas 2003-12-01

Gender, Shame and Sexual Violence Sara Sharratt 2016-04-22 Drawing on extensive interview material gathered amongst victims, witnesses, judges and NGOs, this book investigates the prosecution of rape and sexual violence in war crimes tribunals, with special attention to The International Court for the Former Yugoslavia (ICTY) and World Court in Sarajevo. It examines the testimonies of victims and witnesses and their reasons for testifying, their attitudes towards perpetrators, the consequences of testifying, their recommendations for other witnesses and conceptions of justice. In addition, it explores the attitudes of judges, prosecutors, psychologists and those in charge of protecting and offering services. Adopting a feminist approach, 'Gender, Shame and Sexual Violence' challenges the assumption that the deterrent effect of making rape trials more visible would reduce the occurrence of sexual violence in conflict situations, contending instead that the manner in which cases are handled both increases the victims' sense of shame and serves to propagate a representation of women's bodies that may actually serve to increase the use of sexual violence during war. A compelling analysis of the prosecution of rape as a war crime, this volume offers extensive new empirical material that will be of interest to scholars of sociology, gender studies, criminology, politics, international relations and law.

The Politics of Gender Justice at the International Criminal Court Louise Chappell 2015-11-05 In 1998, the Rome Statute to the International Criminal Court (ICC) emerged as a groundbreaking treaty both due to its codification of international criminal law and its recognition of the crimes committed against women in times of war and conflict. The ICC criminalized acts of rape, sexual slavery, and enforced pregnancy, amongst others, to provide the most advanced articulation ever of gender based violence under international law. However, thus far no scholarly book has analyzed whether or not the implementation of the ICC has been successful. *The Politics of Gender Justice at the International Criminal Court* fills this intellectual gap, specifically examining the gender justice design features of the Rome Statute (the foundation of the ICC), and assessing the effectiveness of the statute's implementation in the first decade of the court's operation. Louise Chappell argues that although the ICC has provided mixed outcomes for gender justice, there have also been a number of important breakthroughs, particularly in regards to support for female judges. Meticulous and comprehensive, this book refines the notion of gender justice principles and adds a valuable, but as yet unrecognized, gender dimension to the burgeoning historical institutionalist approach to international relations. Chappell links feminist international relations literature with feminist institutionalism literature for the first time, thereby strengthening and adding to both fields. Ultimately, Chappell's analysis is an essential step towards attaining a greater degree of gender equality in the context of international law. The definitive volume on gender and the ICC, *The Politics of Gender Justice at the International Criminal Court* is a valuable resource for students and scholars of international relations, international law, and human rights. *Silenced Victims of Wartime Sexual Violence* Olivera Simic 2018-03-09 The condemnation of wartime sexual violence as a gross violation of human rights has received widespread support. While rape and other forms of sexual violence have attracted considerable local and international attention, this often excludes wartime sexual

violence among women belonging to so-called 'perpetrator' war-torn nations. This book explores the silence surrounding women's experiences of wartime sexual violence within academic, legal and public discourses. Olivera Simić argues that the international criminal law and feminist legal discourse on wartime sexual violence can construct a problematic victim hierarchy that excludes and misrecognises certain women's experiences of sexual violence during and after armed conflict. The book focuses on the experiences of Bosnian Serb women, where the collapse of the former Yugoslavia led to brutal war and gross human rights violations throughout the 1990s. Two decades after the war, women in Bosnia and Herzegovina are still facing the legacies of the violence in the 1990s. Through this case Simić argues that while all women survivors of rape face problems of stigma, shame and lack of political visibility, their legal and symbolic status differ according to their ethno-national identity. Drawing on interviews with Bosnian Serb women survivors of rape in Bosnia and Herzegovina, feminist activists, local media, documentary and archival sources, the book examines 'post-conflict justice' as it is seen, lived and interpreted by women who belong to 'perpetrator' nations and will be of great interest and use to researchers, students and practitioners within post-conflict law and justice, international criminal law, security studies and gender studies.

Victims of International Crimes: An Interdisciplinary Discourse Thorsten Bonacker 2013-07-09 In international law victims' issues have gained more and more attention over the last decades. In particular in transitional justice processes the victim is being given high priority. It is to be seen in this context that the Rome Statute for the International Criminal Court foresees a rather excessive victim participation concept in criminal prosecution. In this volume issue is taken at first with the definition of victims, and secondly with the role of the victim as a witness and as a participant. Several chapters address this matter with a view to the International Criminal Court (ICC), the Extraordinary Chambers in the Courts of Cambodia (ECCC) and the Trial against Demjanjuk in Germany. In a third part the interests of the victims outside the criminal trial are being discussed. In the final part the role of civil society actors are being tackled. This volume thus gives an overview of the role of victims in transitional justice processes from an interdisciplinary angle, combining academic research and practical experience.

State Crime, Women and Gender Victoria E. Collins 2015-10-05 The United Nations has called violence against women "the most pervasive, yet least recognized human rights abuse in the world" and there is a long-established history of the systematic victimization of women by the state during times of peace and conflict. This book contributes to the established literature on women, gender and crime and the growing research on state crime and extends the discussion of violence against women to include the role and extent of crime and violence perpetrated by the state. *State Crime, Women and Gender* examines state-perpetrated violence against women in all its various

forms. Drawing on case studies from around the world, patterns of state-perpetrated violence are examined as it relates to women's victimization, their role as perpetrators, resisters of state violence, as well as their engagement as professionals in the international criminal justice system. From the direct involvement of Condoleezza Rice in the United States-led war on terror, to the women of Egypt's Arab Spring Uprising, to Afghani poetry as a means to resist state-sanctioned patriarchal control, case examples are used to highlight the pervasive and enduring problem of state-perpetrated violence against women. The exploration of topics that have not previously been addressed in the criminological literature, such as women as perpetrators of state violence and their role as willing consumers who reinforce and replicate the existing state-sanctioned patriarchal status quo, makes *State Crime, Women and Gender* a must-read for students and scholars engaged in the study of state crime, victimology and feminist criminology.

Gender and International Criminal Law Indira Rosenthal 2022-06-30 This book analyses narrow definitions of gender in international criminal law. Jurisprudence blind spots are examined, such as sexual violence against men, and the gendered dimensions of forced marriage and reproductive crimes. It promotes a more nuanced notion of gender to improve accountability for war crimes, genocide and aggression.

The Elgar Companion to the International Criminal Tribunal for Rwanda Anne-Marie de Brouwer 2016-12-30 The Elgar Companion to the International Criminal Tribunal for Rwanda is a one-stop reference resource on this complex tribunal, established in the aftermath of the 1994 genocide in Rwanda, which closed its doors on 31 December 2015. This Companion provides an insightful account of the workings and legacy of the ICTR in the field of international criminal justice.

International Criminal Law and Sexual Violence against Women Daniela Nadj 2018-05-23 This book explores the prosecution of wartime sexual violence in international criminal law and asks what the juridicalisation of gender-based violence signifies for women. The book explores the portrayal of the various gendered identities that surface in armed conflict and it asks whether the law is capable of reflecting these in subsequent judgements. Focusing on the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda as well as subsequent developments in the International Criminal Court, the book shows how the tribunals have delivered landmark jurisprudence in the area of sexual violence against women and provided a legacy for how gender justice is incorporated into international law. However, Daniela Nadj argues that in the relevant cases there is a tendency to depict women in monolithic fashion with little agency or sense of identity beyond their ethnicity. By bringing to the surface the complexity and multi-faceted gendered identities in wartime, the book calls for a reconceptualisation of notions of femininity in armed conflict.